

Senate Bill No. 197

CHAPTER 252

An act to amend Section 115842 of the Health and Safety Code, relating to reservoirs, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 22, 2005. Filed with
Secretary of State September 22, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 197, Cox. Sly Park Reservoir.

Existing law prohibits the recreational use of reservoirs where water is stored for domestic use to include recreation in which there is bodily contact with the water by a participant. Existing law exempts certain reservoirs from this prohibition and sets forth conditions and restrictions to ensure water purity. Existing law exempts Sly Park Reservoir from this prohibition if certain conditions are met. Among those conditions is the requirement that the water receive ongoing treatment by June 30, 2005, including, but not limited to, an advanced technology treatment.

This bill would remove the requirement that the ongoing water treatment commence on or before June 30, 2005, and instead require the water treatment to commence before the reservoir may be used for recreational activity in which there is bodily contact with the water. The bill would also remove the advanced technology treatment requirement and instead require a treatment that complies with a specified federal standard.

Existing law requires that the recreational use of the reservoir be subject to additional conditions and restrictions adopted by the entity operating the reservoir that are designed to further protect public health.

This bill would, instead, make the reservoir subject to additional conditions and restrictions adopted by the entity or the State Department of Health Services that are necessary to further protect public health.

Existing law requires the El Dorado Irrigation District to file a report with the department on the recreational uses and water treatment program at the Sly Park Reservoir.

This bill would require the department to prescribe the degree of treatment necessary to abate any increased hazards in the Sly Park Reservoir resulting from body contact recreation based on information provided in the El Dorado Irrigation District report.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 115842 of the Health and Safety Code is amended to read:

115842. (a) Recreational activity in which there is bodily contact with the water by any participant is allowed in the Sly Park Reservoir provided that all of the following conditions are satisfied:

(1) The water shall receive complete water treatment, including coagulation, flocculation, sedimentation, filtration, and disinfection; or alternative treatment that complies with all applicable department regulations and requirements. Such treatment shall, at a minimum, comply with all state laws and department regulations and all federal laws and regulations, including, but not limited to, the federal Environmental Protection Agency Long-Term 2 Enhanced Surface Water Treatment regulations. Nothing in this division shall limit the state or the department from imposing more stringent treatment standards than those required by federal law.

(2) The El Dorado Irrigation District conducts a monitoring program for E. coli, bacteria and giardia, and cryptosporidium organisms at various reservoir locations and at a frequency determined by the department.

(3) The reservoir is operated in compliance with regulations of the department.

(b) The recreational use of that reservoir shall be subject to additional conditions and restrictions adopted by the entity operating the water supply reservoir, or by the department, that are required to further protect or enhance the public health and safety and do not conflict with regulations of the department.

(c) The El Dorado Irrigation District shall file, on or before January 1, 2005, with the department, a report on the recreational uses at Sly Park Reservoir and the water treatment program for that reservoir. That report shall include, but is not limited to, providing all of the following information:

(1) The estimated levels and types of recreational uses at the reservoir on a monthly basis.

(2) A summary of available monitoring in Sly Park Reservoir watershed for giardia and cryptosporidium.

(3) The sanitary survey of the watershed and water quality monitoring plan.

(4) An evaluation, as prescribed by the department, to determine the impact on source water quality due to recreational activities on Sly Park Reservoir, including any microbiological monitoring.

(5) The reservoir management plan and the operations plan.

(6) The annual water reports submitted to the consumers each year.

(d) The department shall prescribe the degree of treatment including, but not limited to, treatment processes necessary to abate any increased hazards resulting from body contact recreation based on information provided in the report filed pursuant to subdivision (c).

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enact a necessary change in the statutes governing the Sly Park Reservoir and the El Dorado Irrigation District, it is necessary that this act take effect immediately.